

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

RUSSELL ZINTER; ET AL.

Plaintiffs,

v.

CHIEF JOSEPH SALVAGGIO; ET AL.

Defendants.

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CIVIL NO. SA-18-CA-680-RCL-RBF

CITY OF LEON VALLEY’S OBJECTIONS TO PLAINTIFFS’ TRIAL EXHIBITS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the CITY OF LEON VALLEY, a political Subdivision of the State of Texas (“City” or “Defendant”), and under Local Rule CV-16(g) files this their Objections to Plaintiffs’ trial exhibits as follows:

I. GENERAL OBJECTIONS

1. The City objects to Plaintiffs’ Exhibit List as it fails to provide adequate notice in accordance with the Court’s Jury Trial Scheduling Order [Dkt. 125]. Pursuant to the Court’s Order, “In addition to listing all exhibits expected to be offered as required by Local Rule 16 (f)(4), counsel will make all exhibits available for examination by opposing counsel.” Pursuant to Rule 16(f)(4), the parties were to provide “An appropriate identification of each exhibit . . ., separately identifying those which the party expects to offer and those which the party may offer if the need arises.” *Id.* Plaintiffs did not differentiate between the exhibits they intend to offer and those they may offer. Without any differentiation in the Plaintiffs’ Exhibit List, the City has no way of knowing, with any certainty, which exhibits are being offered against the City.

II. SPECIFIC OBJECTIONS

2. In light of the fact that the City is not certain which exhibits are intended to be offered against the Individual Defendant Officers or against the City, the City provides specific objections to exhibits which would appear to directly relate to the *Monell* claims and/or deliberate indifference as to former Chief Salvaggio.

3. As to exhibits which appear to relate solely to the June 14th, 18th and 23rd, 2018 incidents, the City may provide certain specific objections as listed below and does not waive them, but also fully joins and adopts the Individual Defendant officers' objections as to all of these exhibits for all purposes. The Grounds for the Defendant City's objections are designated below alphabetically:

Exhibit	Reference	Description	Object	Grounds
	COLV 00001	6/14/18 Corp. Farias's Body Cam (1056)*		
	COLV 00002	6/14/18 Sgt. Burleson's Body Cam (1104)*	X	A
	COLV 00003	6/14/18 Sgt. Burleson's Body Cam (1104)*	X	A
	COLV 00004	6/14/18 Sgt. Burleson's Body Cam (1104)*	X	A
	COLV 00005	6/14/18 Sgt. Burleson's Body Cam (1104)*	X	A
	COLV 00006	6/14/18 Off. Vasquez's Body Cam (1176)*		
	COLV 00007	6/14/18 Off. Vasquez's Body Cam (1176)*	X	A
	COLV 00008	6/14/18 Off. Vasquez's Body Cam (1176)*	X	A
	COLV 00009	6/14/18 Off. Azar's Body Cam (1184)*		
	COLV 00010	6/14/18 Off. Yarbrough's Body Cam (1230)*	X	A
	COLV 00011	6/14/18 Off. Yarbrough's Body Cam (1230)*	X	A
	COLV 00012	6/14/18 Off. Yarbrough's Body Cam (1230)*	X	A
	COLV 00013	6/14/18 Off. Yarbrough's Body Cam (1230)*		
	COLV 00014	6/14/18 Sgt. Urdiales' Body Cam (1259)*		
	COLV 00015	6/14/18 Sgt. Urdiales's Body Cam (1259)*	X	A
	COLV 00016	6/14/18 Det. Brooks' Body Cam (1259)*	X	A
	COLV 00017	6/14/18 Det. Brooks' Body Cam (1259)*	X	A
	COLV 00018	6/14/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00019	6/14/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00020	6/18/18 Sgt. Castro's Body Cam (070)*	X	A
	COLV 00021	6/18/18 Sgt. Castro's Body Cam (070)*	X	A
	COLV 00022	6/18/18 Sgt. Castro's Body Cam (070)*	X	A
	COLV 00023	6/18/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00024	6/18/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00025	6/18/18 Cpl. Farias' Body Cam (1056)*	X	A

	COLV 00026	6/18/18 Cpl. Farias' Body Cam (1056)*		
	COLV 00027	6/18/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00028	6/18/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00029	6/18/18 Det. King's Body Cam (1061)*	X	A
	COLV 00030	6/18/18 Cpl. Mandry's Body Cam (1116)*	X	A
	COLV 00031	6/18/18 Cpl. Mandry's Body Cam (1116)*	X	A
	COLV 00032	6/18/18 Cpl. Mandry's Body Cam (1116)*	X	A
	COLV 00033	6/18/18 Off. Breton's Body Cam (1164)*	X	A
	COLV 00034	6/18/18 Off. Breton's Body Cam (1164)*	X	A
	COLV 00035	6/18/18 Off. Azar's Body Cam (1184)*	X	A
	COLV 00036	6/18/18 Off. Azar's Body Cam (1184)*	X	A
	COLV 00037	6/18/18 Off. Azar's Body Cam (1184)*	X	A
	COLV 00038	6/18/18 Off. Azar's Body Cam (1184)*	X	A
	COLV 00039	6/18/18 Off. Hernandez's Body Cam (1220)*	X	A
	COLV 00040	6/18/18 Off. Rivera's Body Cam (1237)*	X	A
	COLV 00041	6/18/18 Off. Rivera's Body Cam (1237)*	X	A
	COLV 00042	6/18/18 Sgt. Urdiales' Body Cam (1259)*	X	A
	COLV 00043	6/18/18 Sgt. Urdiales' Body Cam (1259)*	X	A
	COLV 00044	6/18/18 Sgt. Urdiales' Body Cam (1259)*	X	A
	COLV 00045	6/18/18 Sgt. Urdiales' Body Cam (1259)*	X	A
	COLV 00046	6/18/18 Sgt. Urdiales' Body Cam (1259)*	X	A
	COLV 00047	6/18/18 Sgt. Urdiales' Body Cam (1259)*	X	A
	COLV 00048	6/18/18 Sgt. Urdiales' Body Cam (1259)*	X	A
	COLV 00049	6/18/18 Sgt. Urdiales' Body Cam (1259)*	X	A
	COLV 00050	6/18/18 Sgt. Urdiales' Body Cam (1259)*	X	A
	COLV 00051	6/18/18 Off. Evans' Body Cam (1274)*	X	A
	COLV 00052	6/18/18 Off. Evans' Body Cam (1274)*	X	A
	COLV 00053	6/23/18 Off. Baiza's Body Cam (535)*	X	A
	COLV 00057	6/23/18 Off. Baiza's Body Cam (535)*	X	A
	COLV 00061	6/23/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00062	6/23/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00063	6/23/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00064	6/23/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00065	6/23/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00066	6/23/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00067	6/23/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00068	6/23/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00069	6/23/18 Cpl. Farias' Body Cam (1056)*	X	A
	COLV 00070	6/23/18 Off. Rivera's Body Cam (1111)*	X	A
	COLV 00071	6/23/18 Off. Rivera's Body Cam (1111)*	X	A
	COLV 00072	6/23/18 Off. Rivera's Body Cam (1111)*	X	A
	COLV 00073	6/23/18 Off. Rivera's Body Cam (1111)*	X	A
	COLV 00074	6/23/18 Off. Rivera's Body Cam (1111)*	X	A
	COLV 00075	6/23/18 Off. Vasquez's Body Cam (1176)*	X	A
	COLV 00080	6/23/18 Off. Hernandez's Body Cam (1220)*	X	A

	COLV 00081	6/23/18 Off. Hernandez's Body Cam (1220)*	X	A
	COLV 00082	6/23/18 Off. Hernandez's Body Cam (1220)*	X	A
	COLV 00083	6/23/18 Off. Hernandez's Body Cam (1220)*	X	A
	COLV 00084	6/23/18 Cpl. Mandry's Body Cam (1230)*	X	A
	COLV 00089	6/23/18 Off. Griego's Body Cam (1232)*	X	A
	COLV 00090	6/23/18 Off. Griego's Body Cam (1232)*	X	A
	COLV 00091	6/23/18 Off. Griego's Body Cam (1232)*	X	A
	COLV 00092	6/23/18 Off. Evan's Body Cam (1274)*	X	A
	COLV 00096	6/23/18 Off. Evan's Body Cam (1274)*	X	A
	COLV 00097	6/23/18 Off. Evan's Body Cam (1274)*	X	A
	COLV 00098	6/23/18 Off. Evan's Body Cam (1274)*	X	A
	COLV 00099	6/23/18 Off. Espinoza's Body Cam (1281)*	X	A
	COLV 00105	6/23/18 Off. Espinoza's Body Cam (1281)*	X	A
	COLV 00106	6/23/18 Off. Espinoza's Body Cam (1281)*	X	A
	COLV 00107	6/23/18 Off. Espinoza's Body Cam (1281)*	X	A
	COLV 00108	6/23/18 Off. Espinoza's Body Cam (1281)*	X	A
	COLV 00109	6/23/18 Off. Espinoza's Body Cam (1281)*	X	A
	COLV 00110	6/23/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00114	6/23/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00115	6/23/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00116	6/23/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00117	6/23/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00118	6/23/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00119	6/23/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00120	6/23/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00121	6/23/18 Off. Parra's Body Cam (1284)*	X	A
	COLV 00122-00131, Officers 0000203-000212,	Incident Report 6/14/2018*		
	Officers 000605-000608	Incident Report 6/14/2018*		
	COLV 00132-00146, Officers 000213-000245, Officers 000522-000523	Incident Report 6/18/2018*		

	COLV 00147-00185, Officers 000004-000028, Officers 000246-000270, Plaintiffs 000365-000373	Incident Report 6/23/2018*	X	B, C, D
	COLV 00186-00187, Officers 000029-000030	Chain of Custody Report 6/23/18*	X	B
	COLV 00188-00204, Officers 000043-00046	Anderson's Supplemental Report 7/18/18 *		
	COLV 00205-00206, Officers 000040-000042	Anderson's Supplemental Report 7/18/18 *		
	COLV 00207-00216, Officers 000544-0000553, Officers 000595-000604, Officers	Salvaggio's Statement 7/10/18*		

	000666-000675	Joseph Salvaggio's Supplemental Report 7/10/18*		
	COLV 00217-00218	Saucedo's Supplemental Report 6/23/18*		
	COLV00219-00244, Officers 000271-000290, Officers 000656-000665	Munoz's Supplemental Report 7/17/18*		
	COLV 00245-00249, Officers 000631	Logs of Confiscated Property 6/14/18, 6/18/18, & 6/23/18*	X	B
	COLV 00250	Spreadsheet of Confiscated Property*	X	B
	COLV 00251-00303, Officers 000504-000505, Officers 000514-000515, Officers 000560-000561, Officers 000616-000626, Plaintiffs 000374	Property Receipts & Chain of Custody Reports*	X	B,
	COLV 00304-00309, Officers 000503, Officers 000524-000541, Officers 000589-000591	Charge and Disposition Reports*	X	B
	COLV 00310-00324, Officers	CMRRR Letters: LVPD has Plaintiffs' Property	X	B

	000506-000508, Officers 000650-000652		X	B
	COLV 000325-00345	Impound & Towing Info for Brown's Rental Car	X	B
	COLV 00346-00347	DA Charges*	X	C, D
	COLV 00348-00349	Bills of Indictment - Springer and Bao*	X	C, D
	COLV 00350-00361, Officers 000562-000563, Officers 000565-000569, Officers 000576-000578, Officers 000634	LVPD Preservation Requests to Google		
	COLV 00352-00361, Officers 000579-000588	YouTube Terms of Service		
	COLV 00362-00363, COLV 00509-00512, Officers 000632-000633-000639	Consent to Search Aldo Hernandez's iPhone 6/23/18*		
	COLV 00364-00389, Officers 000066-000112	Google Search Warrants*		
	COLV 00390-00500	Evidence Search Warrants*		
	COLV 00501-00504	Search Warrant – Miller's House*	X	C

	COLV 00505-00507, Plaintiffs 000358-000364	Search Warrants – Miscellaneous*	X	C, D
	COLV 00508, Officers 000646	Search Warrant Info 6/14/18, 6/18/18, & 6/23/18*		
	COLV 00513-00610	2021 TML Declaration*	X	B
	COLV 00611-00645	Disciplinary Action Reports, Notices, and Forms*	X	F
	COLV 00646-00801, Officers 000688-000843	TCOLE Records*		
	COLV 00802-00915	LVPD Operations Manual*		
	COLV 00919-00922	LVPD Compliment/Complaint Form	X	F
	COLV 00918	Texas Government Code 614.022*		
	COLV 00919-07003, COLV 07139-07140, COLV 07144-07145, Officers 000364, Officers 000415-000417, Officers 000570, Officers 000924	Salvaggio's Emails – June 2018*	X	G
	COLV 07004-07112	Emails about VM Messages*	X	G
	COLV 07113-07114	Miller's 5/31/18 Complaint Form*	X	B, C
	COLV 07119-07121, COLV 07124-07126	Leon Valley's Response to Miller's OAG Complaint*	X	B, C
	COLV 08216-08261, COLV 09044-09868,	Leon Valley's Responses to the Lawsuit*	X	B

	COLV 10082-10115, COLV 10146-10158, Officers 000456-000500, Officers 000542-000543, Officers 000685-000686		X	B
	COLV 08882-09043	Miscellaneous Leon Valley Emails – June 2018*	X	G
	COLV 09869-09901	Leon Valley Emails with Google concerning Quashed Warrants*	X	G
	COLV 10047-10078	Pulliam’s Section 552.3215 Complaints against COLV*	X	A, B, C, D
	COLV 10079-10081, Officers 000554-000559	Criminal Trespasses*	X	B
	COLV 10116-10145	Reports on Obstruct Retaliation Threat 201804036 forwarded by LVPD*	X	G
	COLV 10206-10726	Emails concerning the Bradshaw Matter	X	B
	COLV 10727-10769	Email concerning COLV’s 10/8/2020 Ethics Review Board Meeting	X	B, G, F
	COLV 10770-10784	Email between Josh Stevens and Hank Brummet concerning a Proposed Resolution of No Confidence in Salvaggio*	X	B, F, H
	COLV 10785-10859	Crystal Caldera rescinded Criminal Trespasses to Howd, Bailey, Padilla, Springer, and Pierce*	X	B
	COLV 10861-10865	Email from Gonzales to Gonzalez with reports on June 14/18/23, 2018*		
	COLV 10866-11178	Use of Force Reports*	X	B
	COLV 11179-11182	Policy 3.2 Field Training*	X	G
	COLV 11183-11248	Field Training Program Operations Manual - Revised January 2021*	X	G
	COLV 11243-11250	Policy 6.1 Use of Force - Effective 07/15/2021*	X	G

	COLV 11251-11254, COLV 11305-11308	Operational Security Plan - 6/18/2018*		
	COLV 11255-11287, COLV 11305-11341	COLV PowerPoints on First Amendment Auditors*	X	B
	COLV 11342-11343	COLV's Sect. 46.03 and 30.06 Signs*	X	B
	COLV 11381-11385	March 12, 2019, Standing Order (Court Decorum)*	X	B, F, G
	COLV 11386	COLV Organization Chart revised FY 2018*		
	COLV 11387-11388, Officers 000114-000115	Ramsey Affidavit	X	B
	COLV 11389-11466	Salvaggio Affidavit*		
	Officers 000001-000002	Municipal Facilities Addition & Renovation of City of Leon Valley and Police Departments*	X	B, F
	Officers 000003	June 14, 2018, Standing Order (Court Decorum)*		
	Officers 000032-000039	June 14, 2018-June 23, 2018 – Interactions with Officers*	X	A, B
	Officers 000048, Officers 000627-000629, Officers 000904, Officers 000919	Miscellaneous Alleged Threats*		
	Officers 000049	Picture of a YouTube video by SAEXTAZYPREZ *	X	A
	Officers 000050	Highlighted Comment by News Now Houston*	X	A, B
	Officers 000051-000061	Merb's Speakeasy	X	B
	Officers 000062-000065	Google Preservation Requests	X	B

Officers 000117- 000118	Evidence and Search Warrants Chart*		
Officers 000119- 000124	Cluster Diagrams – Pertinent Facts about Plaintiffs*	X	B, C, D
Officers 000125- 000129	Property Seized from Each Plaintiff*		
Officers 000130- 000131, Officers 000649, Officers 000687	Auditor Arrests and Pending Arrests*	X	C, D
Officers 000133- 000147	Rules and Regulations for Leon Valley Police Department*	X	G
Officers 000148- 000152	Leon Valley PD Conducted Electronic Weapons Policy*	X	G
Officers 0000153- 000158	Leon Valley PD Use of Force Policy*	X	G
Officers 000159- 000160	Blank Leon Valley Use of Force Report*	X	B, C
Officers 000161- 000165	Policy on Eyewitness Identification*	X	G
Officers 000166	LVPD Organizational Structure*	X	G
Officers 000168	8/27/18 Off. Wells's Body Cam (1260)*	X	A
Officers 000169	Recorded Conversation between Vasquez and Miller*	X	A, C
Officers 000170- 000202, Officers 000291- 000293, Officers 000296- 000363,	Miller Case File	X	B, C, F

	Officers 000365, Officers 000419- 000455		X	B, C, F
	Officers 000294- 000295, Officers 000676- 000680	Court Security Letters*	X	B
	Officers 000418	Updated List of District Judges	X	B
	Officers 000501- 000502, Officers 000564, Officers 000682- 000684	DA Rejection Forms*	X	B, F
	Officers 000509	Digital Media Forensic Examinations*		
	Officers 000510	Scanned Property*		
	Officers 000511- 000513, Officers 000520- 000521, Officers 000572- 000575, Officers 000609- 000615, Officers 000630, Officers 000640- 000645	Background Info/Criminal History for Individuals Detained/Arrested*	X	C, D
	Officers 000516- 000519	Witness Statements*	X	F

	Officers 000571	APs and SPs 6/23/18*		
	Officers 000592- 000594, Officers 000653- 000655	Munoz's Supplemental Report 1/22/19*	X	B, G
	Officers 000647- 000648	Info on Steven Joaquin Perez	X	B, F
	Officers 000681	SWTXFC Bulletin – 5/3/18*	X	B
	Officers 000844- 000847, Officers 000850- 000865, Officers 000871- 000874, Officers 000877- 000881, Officers 000883- 000885, Officers 000892- 000903, Officers 000905- 000918, Officers 000920- 000923, Officers 000925- 000941	LVPD Emails with FBI*	X	B, F, G
	Officers 000848- 000849, Officers 000866- 000870,	Salvage's Emails with Outside Agencies*	X	B, F, G

	Officers 000875- 000876, Officers 000882		X	B, F, G
	Officers 000886- 000891	AACOG Emails*	X	B, F, G
	Officers 000941- 001043	Phone Calls Information*	X	B
	Plaintiffs 000001- 000004, Plaintiffs 000023- 000356	Plaintiffs' Medical Information*	X	E, F
	Plaintiffs 000375, Plaintiffs 000390- 000412, Plaintiffs 000488-00489	Plaintiffs' Notes on the Incidents & Related Photos*	X	A, B, C, D
	Plaintiffs 000376- 000389, Plaintiffs 000473	Plaintiffs' Communications*	X	A, B, C, D
	Plaintiffs 000430- 000472, Plaintiffs 000474- 000487	Plaintiffs' Info concerning COLV*	X	A, B, C, D
	Plaintiffs 000497- 000515	Plaintiffs' YouTube Info*	X	A, B, C, D
	Exhibits 1- 112	Plaintiffs' Exhibits Submitted with their Partial MSJ*	X	A, B, C, D
		Open Records Responses from Governmental Bodies/Agencies in the Surrounding Area*	X	A, B, C, D
	YouTube Videos – 5/2/18	https://www.youtube.com/watch?v=IVvvrq_tRB0 * B0 *	X	A, B, C, D

	YouTube Videos – 5/9/18	https://www.youtube.com/watch?v=XS5wF0eJ3QA*	X	A, B, C, D
	YouTube Videos – 5/31/18	https://www.youtube.com/watch?v=osS7BkzT6-E* https://www.youtube.com/watch?v=arHaig_Lhs8* https://www.youtube.com/watch?v=Fu5MIHtj3gc*	X	A, B, C, D
	YouTube Videos – 6/14/18	https://www.youtube.com/watch?v=mFulFCPVUlw*	X	A, B, C, D
	YouTube Videos – 6/15/18	https://www.youtube.com/watch?v=ARTEV9rEimc*	X	A, B, C, D
	YouTube Videos – 6/17/18	https://www.youtube.com/watch?v=WgUQpG8gvro*	X	A, B, C, D
	YouTube Videos – 6/18/18	https://www.youtube.com/watch?v=ZV_SijAdouE* https://www.youtube.com/watch?v=hXiGHUANVOo* https://www.youtube.com/watch?v=k_tDcdAdH8E* https://www.youtube.com/watch?v=4ltV4as5N74* https://www.youtube.com/watch?v=bh9vSQzBSZw*	X	A, B, C, D
	YouTube Videos – 6/19/18	https://www.youtube.com/watch?v=xr1qW6j3NeI* https://www.youtube.com/watch?v=dvIcB9-7QF8* https://www.youtube.com/watch?v=xr1qW6j3NeI*	X	A, B, C, D
	YouTube Videos – 6/21/18	https://www.youtube.com/watch?v=J05AL0ymYY*	X	A, B, C, D
	YouTube Videos – 6/22/18	https://www.youtube.com/watch?v=u8k6N-j57H4* https://www.youtube.com/watch?v=nqZTzo01vPA* https://www.youtube.com/watch?v=DD--pKwyN14* https://www.youtube.com/watch?v=SD7YiMXML0c*	X	A, B, C, D

		https://www.youtube.com/watch?v=A_1-ZKJ9mw8* https://www.youtube.com/watch?v=25Zzfl7Q9hY* https://www.youtube.com/watch?v=oN4G1vB7hK0* https://www.youtube.com/watch?v=YkWprBr5grg* https://www.youtube.com/watch?v=BJ_fgVCD AJw* https://www.youtube.com/watch?v=u8k6N-ij57H4*	X	A, B, C, D
	YouTube Videos – 6/23/18	https://www.youtube.com/watch?v=s0d6WfZj1sg* https://www.youtube.com/watch?v=j907BKx3uOw* https://www.youtube.com/watch?v=qrapObkLog* https://www.youtube.com/watch?v=nEp2FK43QgU* https://www.youtube.com/watch?v=dz1_h1b5wtA* https://www.youtube.com/watch?v=yt7Exr5Dr rI* https://www.youtube.com/watch?v=HzRv6Hu3XOg* https://www.youtube.com/watch?v= rxy3TSmn-Y* https://www.youtube.com/watch?v=xodDYBm pAbY* https://www.youtube.com/watch?v=aVkky2nD MyA*	X	A, B, C, D
	YouTube Videos – Miscellaneous	https://www.youtube.com/watch?v=zVWl8pT7_Fo* https://www.youtube.com/watch?v=ufN6ROVTEs0* https://www.youtube.com/watch?v=ecKIph9cmIk* https://www.youtube.com/watch?v=l-M2zTwCpSs* https://www.youtube.com/watch?v=b2Kt28jFsos* https://www.youtube.com/watch?v=YT88d6yJNq8* https://www.youtube.com/watch?v=4bG2pfvxjmo*	X	A, B, C, D

		https://www.youtube.com/watch?v=eX0wnHaiuXs* https://www.youtube.com/watch?v=xOp8kDoXQMY*	X	A, B, C, D
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OBJECTIONS:

A. The City further objects to each of the Individual Defendant Officers' and non-defendant officers' body camera video recording, photograph exhibits and photographs of Plaintiffs and third parties to the extent that they contain or constitutes inadmissible hearsay. These exhibits should be excluded or the inadmissible hearsay should be excluded Fed. R. Evid., 802, 1001, 1003, 1004, 1005 and on the basis that they were not properly authenticated and lack authenticity. Fed. R. Evid. 901.

B. These documents are irrelevant as they do not pertain to substantially similar incidents that are probative of a pattern of misconduct as alleged. Fed. R. Evid. 401, 403, 411. These documents have no bearing on the *Monell* issues/deliberate indifference with respect to any of the constitutional theories pursued by Plaintiffs that Court has allowed to proceed through summary judgment. These documents contain or constitute inadmissible hearsay and should be excluded or the inadmissible hearsay should be excluded Fed. R. Evid. 802. In addition, the documents have not been properly authenticated and lack authenticity. Fed. R. Evid. 901.

C. Previous cases or encounters by Plaintiff Miller or third-party individuals Ngyuen, Boaquoc Tran and Jesus Padilla prior to June 14th, 2018, are unrelated to the instant cause unreasonably prejudicial and irrelevant. Fed. R. Evid. 401, 403, 411. The incident reports concerning events prior to June 14, 2018, lack authenticity. Fed. R. Evid. 901. Further, these documents, information, and/or videos contains or constitutes inadmissible hearsay and should be excluded or the inadmissible hearsay should be excluded Fed. R. Evid. 802.

D. Encounters by non-party individuals Ngyuen, Boa-Quoc Tran and Jesus Padilla during June 14, 18, and 23, 2018 are unrelated to the instant cause and are unreasonably prejudicial and irrelevant. Fed. R. Evid. 401, 403, 411. The incident reports concerning Ngyuen's and Padilla's involvement in these events lack authenticity. Fed. R. Evid. 901. Further, these documents, information, and/or videos contains or constitutes inadmissible hearsay and should be excluded or the inadmissible hearsay should be excluded. Fed. R. Evid. 802.

E. Plaintiffs' medical records and billing have not been properly authenticated and constitutes inadmissible hearsay and should be excluded or the inadmissible hearsay should be excluded. Fed. R. Evid. 802.

F. These documents are unreasonably prejudicial and irrelevant as they do not pertain to substantially similar incidents that are probative of a pattern of misconduct as alleged. Fed. R. Evid. 401, 403, 411. These documents have no bearing on the *Monell* issues/deliberate indifference with respect to any of the constitutional theories pursued by Plaintiffs that Court has allowed to proceed through summary judgment. These documents contain or constitute inadmissible hearsay and should be excluded or the inadmissible hearsay should be excluded. Fed. R. Evid. 802.

G. Communications and documentation related to training, supervision, or discipline, or policy change after the June 14, 18, and 23 2018, incidents at issue have no bearing on the *Monell* issues/deliberate indifference with respect to any of the constitutional theories pursued by Plaintiffs that Court has allowed to proceed through summary judgment. Further, related to "subsequent remedial measures" designed to correct any of the City's alleged unconstitutional "policy" per Plaintiffs' allegations. *Luera v. Snyder*, 599 F. Supp. 1459, 1463 (D. Co. 1984) (testimony about changes in police department policies post incident are not admissible). Any

alleged correction or proposed implementation of a corrective measure is inadmissible as a subsequent remedial measure. Fed. R. Evid. 407. Further, consistent with the law that subsequent incidents cannot serve to establish deliberate indifference on the part of a policymaker, the subsequent implementation of training, supervision or discipline as evidence to support the alleged deliberate indifference of a city policymaker on these issues would be unreasonably prejudicial and irrelevant. Fed. R. Evid. 401, 403, 411. They would constitute inadmissible hearsay and should be excluded or the inadmissible hearsay should be excluded. Fed. R. Evid. 802.

H. These documents reference suggestion to the motives of the city council or individual council member(s) regarding any drafts or final Resolution(s) not officially approved by City Council in open session regarding Former Police Chief Salvaggio's alleged actions reflecting the personal opinion of the author of the draft, not a final policy maker, and not reflecting an official city action. They contain or constitute inadmissible hearsay and should be excluded or the inadmissible hearsay should be excluded. Fed. R. Evid. 401, 403, 411, 802, 901.

Respectfully submitted,

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CITY OF LEON VALLEY

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been served in accordance with the Federal Rules of Civil Procedure on this 11th day of March, 2022, to the following:

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